

PD7 McCann Opp Exh 09

Good Faith Practices and Fraudulent Prescriptions

The pharmacist **must** use the elements of good faith dispensing in conjunction with state and federal controlled substance laws when filling **all** prescriptions. The pharmacist must ensure that a prescription for a controlled substance is dispensed for a legitimate medical purpose.

Elements

The elements of good faith dispensing that should alert a pharmacist to questionable circumstances are as follows:

- Numerous controlled substance prescriptions written by the same prescriber or several different prescribers
- Numerous prescriptions submitted by the same person
- Increased frequency of prescriptions for the same controlled drug:
 - by one prescriber
 - for large numbers of patients
 - for quantities beyond those normally prescribed
- Unusual dosages or instructions in conflict with approved labeling
- Unusual geographical distances between patient, pharmacist, and prescriber
- Consistent prescriptions for habit-forming drugs
- Lack of consistent prescriber/patient relationship

Office-Use Prescriptions

Prescriptions must be issued for a specific patient. Prescriptions written for "office use" are not valid.

Prescription Validation Procedures

If a pharmacist is unable to dispense a prescription in good faith:

1. Scan the prescription, and then enter the information (F1).
2. On the hard copy, write **Call Prescriber—Walgreens #xxxx**.
3. Contact the prescriber and confirm or clarify the prescription.
 - If the prescriber confirms the validity of the prescription, document this on the hard copy, and then process the prescription as normal.
 - If the prescriber informs the pharmacist that a prescription for a controlled substance is not valid or authorized, contact local law enforcement. A copy of the scanned image should be given to local law enforcement upon verbal request. Maintain a copy of the prescription in the CII cabinet for future reference, along with any documentation received from local law enforcement, e.g., case number, police officer's card.
4. The prescription may be returned to the patient upon the patient's request.

IMPORTANT: IF THE PRESCRIBER CANNOT BE REACHED, DO NOT DISPENSE THE PRESCRIPTION.

5. Document the occurrence by faxing an image to the prescriber's office, if fax is available, as follows:
 1. Verify the prescription, and then create a DUR exception.
 2. In the Exception Queue, select the prescription.
 3. Select **FAX Create**.
 4. Enter a message in the message box, for example, "Please verify the validity of the prescription."
 5. In the **Include Rx Image** field, enter **Y**.
 6. Send fax.

Note: Controlled substances may only be dispensed to patients who have a prescription for a valid medical purpose (good faith dispensing), written by a practitioner acting in the usual course of professional practice. A **corresponding**

responsibility rests with the pharmacist to ensure that controlled substance prescriptions are issued for a legitimate medical purpose by an individual practitioner in the usual course of professional practice.

OKLAHOMA STORES: In Oklahoma, if notified by a prescriber about an allegedly illegal activity involving a controlled substance, contact your local police department immediately.

Verbal Prescriptions

Do not accept verbal prescriptions for new patients and/or from new prescribers unless:

- You verify the identity of the prescriber.
- You verify that the prescriber has authority to prescribe controlled substances.
- You verify the practitioner's federal DEA number and state license numbers.

Note: The telephone number received via a verbal prescription must match the number in the telephone directory.

Make sure to follow good faith dispensing guidelines.

Regular dispensing of verbal controlled drug prescriptions to the same patient from the same or different prescribers **must not** continue until the pharmacist establishes existence of a patient-prescriber relationship and a legitimate medical purpose for the medication.

The pharmacist **must** exercise professional judgment regarding the patient's continued need for controlled substances. The pharmacist must contact the prescriber when all elements of good faith dispensing cannot be met.

Notify your district pharmacy supervisor if a prescriber fails to provide a hard copy for an emergency Schedule II telephone prescription within the legally required time period. The pharmacy supervisor will evaluate the situation, and then contact the appropriate regulatory agencies, if necessary.

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